

**City of Gig Harbor Planning Commission  
Minutes of Work-Study Session  
October 19th, 2006  
Gig Harbor Civic Center**

**PRESENT:** Commissioners Jim Pasin, Jill Guernsey, Theresa Malich, Joyce Ninen, Harris Atkins and Chairperson Dick Allen. Staff present: Jennifer Kester, Tom Dolan, Kristin Udem and Diane Gagnon.

**CALL TO ORDER:** 6:00 p.m.

**APPROVAL OF MINUTES:**

**MOTION:** Move to approve the minutes of October 5th, 2006 as written. Malich/Ninen – motion passed unanimously.

Discussion was held on time limits for discussion of each item on the agenda. Chairman Dick Allen wanted to emphasize that Planning Commission members were not limited to those times stated. Planning Director Tom Dolan stated that the time estimates were merely to assure that there was enough time on the agenda for discussion of the items.

**NEW BUSINESS**

1. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – Proposal by the Planning and Building Committee of the City Council to review the definitions of Clubs, Lodges and Yacht Clubs (ZONE 06-1388).

Senior Planner Jennifer Kester said that she had revised the ordinance to reflect what was discussed at the last meeting. She stated that a DNS has been issued; however, we will not be able to have a hearing before the city council since the ordinance has just been sent to the state for their 60 day review. She pointed out the areas that had been changed in the ordinance.

Mr. Allen said that he felt that all the items had been addressed. Commissioners Ninen and Atkins agreed that it appeared that all the changes had been made. Commissioner Pasin asked about the process and if there would be a hearing before the city council and Ms. Kester said that yes, there would be another public hearing at the council level

**MOTION:** Move to recommend approval of the ordinance as written. Guernsey/Atkins – Motion passed unanimously

Ms. Kester said that she would let them know when the item would go before the city council and if there were any changes.

2. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – Proposal by the City Council to remove the 5,000 square feet per lot limitation on

nonresidential buildings in the RB-1 zone (ZONE 06-1390) and replace it with a per structure limitation.

Associate Planner Kristin Udem went over her staff report and the proposal. She outlined that the council had tabled this proposal in 2004 after Perteet Consultants had made the recommendations. She stated that staff would like direction on whether the Planning Commission was in favor of this proposal and if they were what types of materials and information they would like for their next work study session.

Mr. Allen clarified that the 5000 sq ft limit per lot limited one 5000 sq ft building no matter the size of the lot.

Ms. Ninen pointed out that in the work program tier it stated that the original proposal was perhaps an oversight. Ms. Kester went over what had been discussed at the original building size analysis meetings and said that perhaps there had not been much discussion of this issue.

Commissioner Jim Pasin said that what had brought this situation to light was the Spadoni Brothers property. He pointed out that it is one lot and they would be only allowed to have a 5000 sq ft. building. Mr. Pasin said that where the RB1 zones are located should be an issue in the decision making process. He thought that it was relevant that there is a zone transition requirement in the design manual; therefore, if this commercial property is next to a small residential building they will be limited in size. He also pointed out the requirement for a 30' vegetative screen and asked if that requirement applied to both residential structures as well as nonresidential. He used Spadoni Brothers as an example and wondered if they wanted to put duplexes on that site would they be required to have a buffer. He wondered if some of these sites were even correctly zoned.

Mr. Atkins asked about the rationale behind creating those zones. Mr. Pasin said that it just probably happened through history. Ms. Udem pointed out the RB-1 areas. Mr. Dolan asked if it would be helpful if staff produced a map with just those zones illustrated. The Planning Commission said that they would like a paper map ahead of time and then have it on the overhead at the meeting.

Mr. Allen asked if the development of the Spadoni corner was pushing this change and Ms. Kester said that she did not believe that it was the driving force behind this proposal; however, it is an issue with that site. She also noted that Commissioner Pasin was correct in stating that with zone transition and the buffer requirements, building sizes will be limited.

Mr. Pasin noted that the DRB had also looked at a proposal on the property across the street from the Spadoni Brothers property and they were unable to develop it due to the zone transition and the buffer.

Commissioner Atkins stated that he was unable to tell at this point what would be the result of changing it to 5000 sq ft per structure and he would really like to get more of a

sense of what the change would possibly create. Commissioner Pasin stated that these properties are all next to residential so they are hard to develop.

Ms. Kester stated that there had been several people at the counter with RB1 land and when they find out that there is a 5000 sq. ft. per lot limitation, there is a reaction that if they have an acre or more it just doesn't work so then they short plat the property so that they can develop it and it doesn't necessarily create a holistic site plan.

Mr. Atkins observed that even if there was a 5000 sq ft per building limitation, perhaps that doesn't even make sense and suggested that perhaps we should be rethinking the zoning. Ms. Kester said that if that was where they wanted to go that would have to go back to council.

Commissioner Guernsey noted that in the intent section of the RB1 zone it references a gross floor area per lot, so the change would have to be made there also.

Ms. Udem stated that she would bring back some enhanced maps and examples of what could be developed under the current standards and how it would change if the regulation were changed. Mr. Dolan said that they would show the short platting scenario also. Mr. Allen asked that the examples show possible parking and landscaping.

**3. City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335 – Proposal by the City Council to exempt net sheds from the building size limitations (ZONE 06-1455)**

Chairman Dick Allen stated that this issue was of great importance to him. He asked where this proposal had been initiated. Planning Director Tom Dolan stated that the request for this ordinance came from the city council, they were concerned if a property has a net shed, it may be preferable to the applicant to remove the net shed in order to increase the ability to develop the upland portion within the building size limitations. This was of great concern to the city council as they felt that net sheds were an integral part of this community and they asked that the Planning Commission consider exempting net sheds from the square footage limits. He stated that staff had just completed an inventory of net sheds and that he will present a PowerPoint presentation of all 15 net sheds along with their current use, size and ownership. He stated that at this initial discussion he was just asking whether the Planning Commission was in support of this proposal.

Commissioner Pasin clarified that if there is a 3500 square footage limitation and there is an existing net shed and if they want to build something, the net shed would not be included in the calculation under this current proposal. Mr. Pasin said he also had a question about the use of net sheds and would we be putting limitations on the future use of net sheds. Mr. Dolan said that they could choose to consider that; however, that was not the task set before them by the city council.

Mr. Allen said that there were very few net sheds that were actually still net sheds. He gave a history of the use of cotton seines. He stated that fishermen used to have to dip them in tar and a solution and then they had to be hung to dry so as to avoid deterioration of the nets. He continued by saying that around 1950 when synthetic netting came along you no longer had to treat them or hang them. He noted that of the sheds that are left they have deteriorated and their uses are changing. He noted that really what we are talking about is the Burton/Steel proposal. He noted that they are building three upland buildings and are saturating their property and now they want to be able to use the net shed as a social area and/or office space for the marina. He stated that his concern was that if someone is going to over develop the property they should not be allowed to use the net shed. If we are going to exempt net sheds then every property on the water should have the same privilege. He felt that other property owners would take it to court. Mr. Dolan stated that this was discussed at the September 25<sup>th</sup> meeting after the executive session.

Commissioner Theresa Malich asked how shoreline regulations allow the conversion of a water dependent use to a dwelling unit. Ms. Kester stated that you cannot have buildings that are water ward of the ordinary high water mark and you cannot legally convert a net shed into something not water dependent. Ms. Malich asked if Gig Harbor's code could override the state law. She cited an example of a conversion that had not been legally converted. Ms. Kester stated that in the new Shoreline Master Program update we will have to show that there is enough space for water dependent uses, so we probably won't be getting rid of this requirement. She continued by saying that the issue is how can someone build anything on a normal lot on the water if they have a net shed and stated that perhaps this was more of a historic preservation issue. Commissioners Guernsey and Atkins both noted that anyone can take down a net shed regardless. Mr. Allen noted that it was unfair to other properties that would not be allowed to build as many buildings. Ms. Guernsey clarified the issues with the shoreline regulations, the building sizes and historic preservation. She stated that she felt that the issue Mr. Allen had raised was the most important to address.

Mr. Dolan reiterated the council's concerns. Ms. Malich stated that those net sheds that had been refurbished do look nice. Mr. Allen stated that these buildings are no longer net sheds, so we aren't preserving net sheds. Mr. Pasin asked if someone has a piece of property and wanted to build a new net shed would the square footage limitation apply. Ms. Kester answered that over water construction is only allowed for fisheries related activities or water dependent uses.

Commissioner Ninen asked if the demolition of the existing net sheds would have a negative impact to the character of Gig Harbor. Mr. Allen said that there is a particular net shed with a metal roof with ship lap siding that has been standing since 1939 and he didn't think that was the character we wanted to preserve. He noted that there is no real reference to the net sheds in the comprehensive plan. He then said that the buildings do need to be defined.

Mr. Pasin stated that part of his concern was that some of these buildings that may seem to be in poor condition may be redeveloped into something we would not want to

see. He asked if Mr. Allen's concern was what size the other buildings may be and asked if he was concerned with the use of existing net sheds. Mr. Allen said he was not concerned with how they were going to be used. He emphasized that the public has stated over and over that they think scale is important in the downtown and he doesn't want to just ignore that. He suggested that we could take the route that La Conner has done. Mr. Pasin stated that he did not think that the net sheds had been considered when the building size analysis had been done. Mr. Atkins stated that it seemed there were two questions; one is whether the intent of the council was to preserve the net sheds. He stated that they would need suggestions from staff, because just exempting them from the building size won't accomplish preservation. The second question is what do we want to do, do we capture the use of the net shed or do you allow it to be used for whatever. Ms. Guernsey agreed and added that she felt that the city council needed to address the need to preserve historic structures rather than tie it to the square footage limitation. She stated that she didn't want to get into the usage issue at this time but did feel that it was important to preserve the net sheds, but it should be addressed head on.

Mr. Dolan suggested that staff bring back the additional information at the next meeting and then the Planning Commission could continue the discussion and make a recommendation at that time. Mr. Pasin agreed that it would give more food for thought and also time to formulate our thoughts. He also said that he thought there should not be an issue regarding the age of the net shed. Ms. Ninen asked how big they were and Mr. Allen said that most are right around 1200 square feet; however, some are 2500 square feet. Ms. Ninen asked how the net sheds were taxed. Ms. Guernsey said that she felt that they were being taxed as whatever the rest of the parcel was being taxed.

Mr. Pasin suggested that perhaps the issue is what the definition of a net shed is. Mr. Allen said that a net shed was for the storage and maintenance of fishing equipment and that there were only a couple left. He suggested that perhaps they should be called historic net sheds. Mr. Dolan clarified that they were suggesting that perhaps there should be more stringent historic standards that would prevent their destruction.

Mr. Allen reiterated that he felt that this was really only about one property. Ms. Kester said that there were other properties where this was an issue. She also noted that only about 400 sq ft of the net shed is actually on the Burton/Steel property.

Chairman Allen again asked how this issue was put to the top of the tier list. Mr. Dolan passed out copies of the minutes of the city council meeting at which this recommendation was made. Mr. Allen pointed out that this was for existing net sheds only and that other properties would not enjoy the same benefit. Mr. Dolan said that he believed that was the council's intent as there was a historic benefit to the existing net sheds. He said he would be talking to the city attorney about the legalities of being able to provide such an incentive.

## **UPCOMING MEETINGS**

November 2nd, 2006 – Work-Study Session on net sheds

November 16<sup>th</sup>, 2006 – Work-Study Session on RB-1 size limitations.

Mr. Pasin suggested that perhaps there could be a work study session on tree retention in residential and commercial properties. Ms. Ninen said that she had encountered information on the subject of tree preservation from another city and said she would forward it to staff. Mr. Dolan said that it will be a major undertaking, to fully analyze the subject of the landscaping standards and tree retention. Ms. Kester said that at this time it was still at the discussion stage with staff and the mayor and perhaps they would bring the DRB and Planning Commission together for discussion on this subject. Ms. Ninen asked where the regulations were located and Ms. Kester said that some of it is in the zoning code and some is in the design manual and that is why both boards will be involved and that the major thrust of the amendment is to get them all in one place. Mr. Pasin passed around a photo that he had received in the mail and noted that the real concern with tree retention should be with the future residential development.

### **ADJOURNMENT**

Move to adjourn at 7:30 p.m.  
Pasin/Malich – Motion carried

CD recorder utilized:  
Disc #1 Track 1  
Disc #2 Track 1